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PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR- 17, PANCHKULA- 134109

Notification

The 5th December, 2022

No. SEC/4E-II/2022/8699.— Whereas the State Election Commission, Haryana *vide* notification No. SEC/4E-II/2022/3526, dated 14.10.2022 had announced schedule for conduct of general elections of Panches and Sarpanches of all Gram Panchayats and Members of all Panchayat Samitis and Zila Parishads in nine districts, namely, Ambala, Charkhi Dadri, Gurugram, Karnal, Kurukshetra, Rewari, Rohtak, Sirsa and Sonipat. This also included Gram Panchayat Rukhi Khaas, Block Gohana, district Sonipat. According to the notification dated 14.10.2022, notice for inviting nominations under rule 24 of the Haryana Panchayati Raj Election Rules, 1994 was published by the concerned Deputy Commissioners-cum-District Election Officer (Panchayat) on 15.10.2022. Nominations were presented between 21.10.2022 to 28.10.2022, scrutiny of nominations received was done by the Returning Officers concerned on 29.10.2022 and withdrawal of candidature was on 31.10.2022. Election symbols were allotted to the contesting candidates on the same day after preparation of final list of candidates who remained in fray. Polling for members, Zila Parishad and Panchayat Samitis in nine districts is scheduled to be held on 09.11.2022 and polling for election for the posts of Sarpanches and Panches will be held on 12.11.2022.

2. Whereas, the Deputy Commissioner, Sonipat *vide* his memo No.7591/Panchayat election, dated 07.11.2022 had submitted that Sh.Ram Karan s/o Sadha Ram, resident of village Rukhi Khaas, Block Gohana submitted a representation to District Election Officer, Sonipat on 01.11.2022 in which he had stated that his nomination for the post of Panch from ward No.5, Gram Panchayat Rukhi Khaas had been rejected on 29.10.2022, against which he had filed a CWP No.25414/2022 'Ram Karan versus State Election Commission and others in the Hon'ble Punjab and Haryana High Court at Chandigarh. The Hon'ble Punjab and Haryana High Court, Chandigarh *vide* its order dated 07.11.2022 has directed to accept his nomination.

3. The Deputy Commissioner had further informed that Sh.Partap Singh s/o Chhotu Ram had been declared as elected unopposed for the post of Panch from ward No.5 of Gram Panchayat Rukhi Khaas, due to rejection of nomination of Sh.Ram Karan s/o Sadha Ram of the same ward because there was no other candidate in fray for the post of Panch from ward No.5 of Gram Panchayat, Rukhi Khas. The Deputy Commissioner-cum-District Election Officer(Panchayat) has sought advice of the State Election Commission in the matter.

4. The Hon'ble Punjab and Haryana High Court in CWP No.25414 of 2022 'Ram Karan Vs. State Election Commissioner Haryana & others' on dated 07.11.2022 has passed the following orders :-

“Present: Petitioner in person.

The grievance of the petitioner before this Court is that his nomination has wrongly been rejected on the ground that the same was filed after the expiry of the last date. He has submitted all the documents well in time, as per receipt dated 28.10.2022 (P-2), No dues Certificate dated 26.10.2022 (P-3), House Tax Receipt dated 27.10.2022, Payment Receipt dated 26.10.2022 (P-5), Issue notice of motion for 14.12.2022,

In the meanwhile, the nomination form of the petitioner for village Rukhi Khaas, Tehsil and District Sonipat be accepted.

A copy of this order be given dasti under the signature of Court Secretary attached to this Court.”

5. Whereas, in compliance of the order dated 07.11.2022 in CWP No. 25414 of 2022, ‘Ram Karan versus State Election Commission, Haryana and others’ passed by the Hon’ble High Court, the State Election Commission *vide* its notification No.SEC/4E-II/2022/5391, dated 07.11.2022 had passed the following orders:

- i. to issue notice to Sh.Partap Singh s/o Chhotu Ram who has been declared elected as unopposed for the post of Panch of Ward No.5, Gram Panchayat Rukhi Khaas, Block Gohana, district Sonipat as why his election result may not be cancelled and re-election held in terms of the directions dated 07.11.2022 of the Hon’ble High Court in CWP No. 25414 of 2022?
- ii. to accept nomination papers of Sh.Ram Karan s/o Sh.Sadha Ram for the post of Panch of Ward No. 5 of Gram Panchayat Rukhi Khaas, Block Gohana, district Sonipat, if these were otherwise in order on 28.10.2022.
- iii. Keep poll for the post of Panch of Ward No.5, Gram Panchayat Rukhi Khaas, Block Gohana, district Sonipat which is scheduled to be held on 12.11.2022 in abeyance for the time being. Revised schedule will be issued in due course.

6. Whereas, the Deputy Commissioner-cum-District Election Officer (Panchayat), Sonipat *vide* his memo No. 8256/Panchayat election, dated 05.12.2022 has informed that notice in compliance with orders dated 07.11.2022 passed by the State Election Commission, Haryana has been served to Sh. Partap Singh s/o Sh. Chhotu Ram and also intimated that Sh. Partap Singh has not submitted any representation against the above said order. He has also informed that election symbols have been allotted to both the candidates.

7. In view of the above explained position and in compliance with the orders dated 07.11.2022 passed by the Hon’ble Punjab & Haryana High Court, Chandigarh, election of Sh. Partap Singh s/o Sh. Chhotu Ram who was declared elected as unopposed from Ward No. 5 of Gram Panchayat Rukhi Khaas, Block Gohana, District Sonipat on dated 31.10.2022 shall be treated as election not held for the said post.

8. Now, I, Dhanpat Singh, State Election Commissioner, Haryana in exercise of powers enabling me under clause 1 of article 243K of the Constitution of India, sub-section (1) of section 161 and sub-section (2) of section 211 of the Haryana Panchayati Raj Act, 1994, rule 24 of the Haryana Panchayati Raj Election Rules, 1994 and all other powers enabling me in this behalf hereby specify time schedule for conduct of general election of Panch, ward No.5, Gram Panchayat Rukhi Khaas, Block Gohana, District Sonipat as given below:-

Sr. No.	Programme	Date
1	Date on which list of the contesting candidates shall be pasted under rule 24(2)(v)	06.12.2022 (Tuesday)
2	Dates on which the poll, if any, shall be held under rule 24(2)(vi)	13.12.2022 (Tuesday)
3	Timing of the poll	Between 7.00 A.M. to 6.00 P.M.
4	Counting of votes	Immediately after the close of poll.
5	Declaration of result	Immediately after the completion of counting.

9. It is also further directed that no fresh nominations will be invited and only two candidates who had earlier filled their nominations namely, Sh.Partap Singh s/o Chhotu Ram and Sh.Ram Karan s/o Sh.Sadha Ram would contest the election for the post of Panch of Ward No. 5 of Gram Panchayat Rukhi Khaas, Block Gohana, district Sonipat. The Deputy Commissioner-cum-District Election Officer (P), Sonipat shall inform the concerned Returning Officer and all the contesting candidates and also give wide publicity of the above election schedule in the area of Gram Panchayat Rukhi khas.

DHANPAT SINGH,
State Election Commissioner, Haryana.